

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6310

BILL NUMBER: SB 80

NOTE PREPARED: Nov 15, 2004

BILL AMENDED:

SUBJECT: Equipment Suppliers and Retailers.

FIRST AUTHOR: Sen. Nugent

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill establishes inventory repurchase requirements for outdoor power equipment suppliers. The bill requires a supplier to provide notice to a retailer before terminating a contract, unless certain circumstances exist. It prohibits certain practices by suppliers. It also provides procedures for: (1) determining the repurchase price paid by a supplier to a retailer for inventory; (2) resolving warranty claims; and (3) continuing or creating contracts after the death or insolvency of a retailer. The bill provides civil penalties for violations.

Effective Date: July 1, 2005.

Explanation of State Expenditures:

Explanation of State Revenues: *Court Fee Revenue:* If additional civil actions occur as a result of the provisions of this bill, revenue to the state General Fund may increase if court fees are collected. A civil filing fee of \$100 would be assessed when a civil case is filed. 70% of the filing fee would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. Any additional revenue would be minimal.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Court Fee Revenue:* If additional civil actions occur, local governments would receive revenue from the following sources. The county general fund would receive 27% of the \$100 filing fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that

prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. However, any additional revenue would be minimal.

State Agencies Affected:

Local Agencies Affected: Trial courts, city and town courts.

Information Sources:

Fiscal Analyst: Sarah Brooks, 317-232-9559.